

REMARKS

By an Office Action dated September 03, 2003 in the file of the above-identified application, the Examiner rejected all the then-pending claims in the application based on a combination of prior art patents. By this response, the applicants have amended the claims and also filed an RCE. Based on this submission, a reconsideration of the merits of this patent application is respectfully submitted.

The previous Office Action included a rejection of the prior claims based on a patent to Gray taken in view of a patent to Coli. Gray is cited to show a system which presents a plurality of guidelines as hyperlinks to a user. Coli is cited by the Examiner to show a medical orders systems in which a doctor activates a hyperlink to request a desired test. The Examiner asserts that it is obvious to one of ordinary skill in the art to combine these two teachings to arrive at the system of the applicants here. The applicants disagree with that conclusion. In addition, however, the applicants have added language to the claims of this application to emphasize the differences between the system of the applicants here and that of the prior art.

Note that the language added to claims 1 and 14, and included in the new claim 17, recites that there is a URL router interposed between the web browser of the user and the rest of the system. This is because an order to be implemented in an electronic medical records system is in a different format, and is much more complex, than a simple hyperlink command can accommodate. To accommodate this difference, the system of the present invention creates an active guidelines tag associated with each active guideline, the tag having the necessary information to convey and actual order in the format of the medical records system. Then the active guideline is presented to the user as a hyperlink. If the user invokes the hyperlink, however, more than linking to another document, and more than sending a text message, is performed by the system. The URL router intercepts the fact that the user has invoked the hyperlink and uses the active tags to create an action item, such as an order, for the electronic medical records system.

The new language inserted in the claims finds support in the specification of the application as filed. The conversion of the active guidelines to a hyperlink with a URL is described at page 5, lines 17-21. The interception of the hyperlink by the URL router and the use of the active tags to create medical records instructions is described on page 6, lines 19-28. The accumulation of orders (claim 18) is also discussed in that passage.

The applicants assert that the systems as now recited in claims 1, 14 and 17 are not anticipated nor are they made obvious by the prior art cited by the Examiner.

First, these claims recited features and limitations anywhere shown in the prior art. Nothing in either the patent to Gray or the patent to Coli shows a URL router located between the user and the rest of the system to intercept a hyperlink that requires additional data and formatting to constitute an action item for a medical records system. Both Gray and Coli suggest that invoking a hyperlink is sufficient and that nothing else is required.

The Examiner has underestimated the problem in creating an interface between a web browser and an electronic medical records system in general. An electronic medical records system is subject to the need to maintain permanent records and to create audit trails for orders and for changes to the records. Browsers typically operate transiently, or maintain interaction history only for limited periods. The present invention was intended to provide a bridge between those two product types, so that a familiar browser environment could be maintained for a client institution to maintain its clinical guidelines, while permitting the use of those guidelines to actually cause orders and other actions to be taken in the computerized patient record system. This system accomplishes this bridge precisely because of the elements now recited in claims 1, 14, and 17. The active guidelines interpreter takes the active guideline from the active guidelines server and converts the guideline into a link with a URL. The URL is passed as a hyperlink to the browser of the user and also to a URL router. If the user invokes the hyperlink, the URL router intercepts the link and creates an order from the active guidelines tags.

The prior art neither shows nor suggests anything similar to the active guidelines interpreter or the URL router as described in this patent application.

First, the applicant wishes to point out the differences between the claimed invention and the prior art. The prior art does not show or suggest active guidelines tags, an active guidelines interpreter to convert tags to a URL, or a URL router to intercept an invoked hyperlink to create a medical records action item. It is the applicants' position that these elements are not found in the prior and combine with the other elements of the claims to produce new functionality not possible in the prior art.

The Examiner wants to combine the teachings of Gray with Coli. The applicants assert that this combination does not arise to the level of the system claimed by the applicants here. Gray teaches that a simple hyperlink/browser system will do for making clinical guidelines available. Coli does envision a system for ordering medical tests and reporting results that also apparently operates using HTTP and FTP protocols (column 18 lines 37-57). So a fair combination of the teachings of these two references would be a system that uses the hyperlink system browser system from Gray to send a text message or a hyperlink command from the hyperlink of Gray to the reporting system of Coli. Neither reference suggest any need or motivation to add the complexity of the other elements the applicants have added to their system, such as the guidelines interpreter and the URL router. The combined references do not teach what the applicants claim nor does either reference even contemplate the problem (connecting a user with a web browser to a complex medical records system) that the applicants' invention solves.

Thus, there are elements (method steps) recited in the claims of this patent application that are neither disclosed nor suggested in the cited prior art. Those elements combine with the other recited elements to enable the operation of a system that provides functionality not shown in the prior art. That functionality is permitting the use of a browser based system to be used to support medical guidelines that can be invoked to created real orders or other actions in a medical records system. The novel elements in the claim make possible this interaction.

Paul C. Tang et al
USSN: 09/524,826
AMENDMENT
Page 9


The recited prior art does not teach the novel elements, nor does the cited art enable the new functionality, nor does the cited art indicate it is cognizant of the problem solved by the applicants approach. This system cannot therefore be found obvious over the cited prior art.

Based on the amendments to the claims made above and the arguments presented herewith, reconsideration of the merits of this application is respectfully requested. A petition for extension of time is submitted herewith so that this response will be considered as timely filed, as well a request for continued examination to that this examination will continue.

Respectfully submitted,

PAUL C. TANG ET AL

Dated: 5-23-05



Michael A. Jaskolski
Reg. No.: 37,551
Attorney for Applicants
QUARLES & BRADY LLP
411 East Wisconsin Avenue
Milwaukee WI 53202

TEL 414.277.5711
FAX 414.271.3552

QBMKE\5740597.1